

K.P. KAUFFMAN COMPANY, INC.

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DENVER, COLORADO 80202-4628
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RECEIVED

JUN 05 2014

Office of Enforcement, Compliance
and Environmental Justice (UFO)

June 3, 2014

Mr. Nathan Wiser
United States EPA Region 8
8OC-EISC
1595 Wynkoop Street
Denver, CO 80202-1129

RE: Wattenberg Disposal, LLC
2014 Annual Third Party Audit

6010938-02115

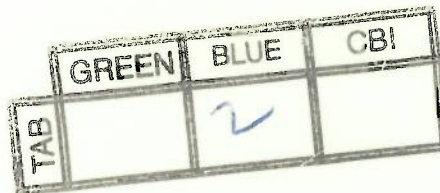
Dear Mr. Wiser,

Enclosed please find the 2014 Annual Third Party Audit performed by Enertia Consulting Group on May 5, 2014.

Please do not hesitate contacting me if you require any further information at (303) 825-4822 or slaramesa@kpk.com

Sincerely,


Susana Lara-Mesa
Engineering Project Manager



Cc: Eric Jacobs, CDPHE
Troy Swain, Weld County Dept. of Public Health and Environment
KPK



1437 Larimer St.
Denver, CO 80202
720•473•3131
sean.ohearn@enertiag.com

May 29, 2014

Ms. Susana Lara-Mesa
K.P. Kauffman Company, Inc.
1675 Broadway, Suite 2800
Denver, Colorado 80202

**RE: Environmental Audit Wattenberg Disposal Facility
Suckla Farms Injection Well No. 1
4468 County Road 19, Weld County, Colorado**

Dear Ms. Lara-Mesa:

Enertia Consulting Group, LLC (Enertia) has performed an Environmental Audit at the Suckla Farms Injection Well No. 1 site, 4468 County Road 19, Weld County, Colorado (the Wattenberg Facility), generally located in the SE ¼ of the SE ¼ of the NW ¼ of Section 10, Township 1 North, Range 67 West of the 6th Principal Meridian. The Wattenberg Facility is operated under the U.S. EPA Underground Injection Control Program, Permit No. C1516-2115. The purpose of the environmental audit was to evaluate pertinent 2013 information and determine the adequacy of the Facility's surface operation and maintenance in preventing shallow groundwater contamination, in accordance with Permit C1516-2115 requirements.

The environmental audit consisted of:

- Visual site inspection and photo documentation of the Wattenberg Facility conducted on May 5, 2014 (Attachment 1);
- On-site interview with Mr. Bill Teter, Wattenberg Facility Attendant and additional soil and groundwater monitoring information provided by Susana Lara-Mesa, KPK Engineering Manager;
- Review of Apex Consulting Services, Inc. (APEX) groundwater monitoring data (gathered in June, July, October and December 2013); and
- Review of CDPHE correspondence related to benzene in groundwater (Attachment 2).

Background

The Facility was originally constructed in 1972 by the Amoco Production Company to dispose of production water from oil and gas wells in the Denver-Julesburg Basin. Current operations at the Facility include the deep injection disposal of non-hazardous Class I and Class II liquid waste, as defined in 40 CFR 144.6. The operation at the Facility generally consists of injecting water produced from oil and gas operations and nonhazardous industrial waste into the Lyons Formation between depths of 9,276 feet and 9,418 feet below ground surface (bgs). A shallow

groundwater monitoring plan for the Facility (prepared in 2002 by Nationwide Environmental Services, Inc., and amended in 2009) includes semi-annual groundwater monitoring at four observation well locations (OW-1, OW-2, OW-3, OW-4) for:

- Oil & Grease;
- Major Anions (nitrate, nitrite, sulfate, chloride);
- Total Organic Carbon;
- Major Cations (calcium, potassium, magnesium, sodium)
- BTEX compounds;
- Alkalinity (carb/bicarb); and
- Total Dissolved Solids.

In addition, the Facility follows other environmental compliance document requirements (e.g., SPCC Plan).

Site Inspection

During the site inspection, Enertia visually checked for leakage or other releases at each installation having the potential to impact the environment. The installations included the tank farm, pump building, sumps, surface pipes, off-load pad, storage building, and injection wellhead and well house. Photographs taken during the site reconnaissance are provided in Attachment 1. Enertia did not observe obvious evidence of staining, odors, dead/stressed vegetation, or releases to the environment from the surface operation and maintenance at the Wattenberg Facility.

Interviews

Interviews with the above-referenced persons yielded the following information regarding the prevention of groundwater contamination:

- Mr. Bill Teter is an attendant at the Wattenberg Facility. He reported that, to his knowledge, there have been no significant environmental incidents at the Facility or environmental impacts to the property since the 2012 audit (conducted in May 2013);
- Ms. Susana Lara-Mesa is the KPK Engineering Manager. She reported that due to slightly higher concentrations of benzene in groundwater (reported as part of the semi-annual monitoring program), observation well OW-5 and boring W-1 were advanced to determine the origin of the benzene. Benzene was detected in the soil spoils from boring W-1. Based on this analysis, it was determined that the benzene source may be upgradient of the Wattenberg Facility. Further groundwater sampling occurred on May 21, 2014 to better determine the source of the benzene.

Report Review

As part of the audit we reviewed daily records and reports prepared by APEX. A brief summary of our review is presented below.

- Semi-Annual Groundwater Reports - Enertia reviewed the APEX June and December 2013 semi-annual groundwater monitoring reports for the Wattenberg Facility (Attachment 2). The letter reports indicate that groundwater samples were collected from observation wells OW-1, 2, 3 and 4 on June 13th and December 12th. The groundwater samples were analyzed for calcium, magnesium, potassium, sodium, chloride, nitrate, nitrite, sulfate, Total Organic Carbon (TOC), bicarbonate, carbonate, benzene, toluene, ethylbenzene, total xylenes (BTEX), and total petroleum hydrocarbons (TPH). During the sampling event shallow groundwater was measured at depths ranging from approximately 12.6' and 11.6' (OW-1) to 22.6' and 20.3'bgs (OW-4) for the June and December monitoring, respectively.
 - June 2013 Monitoring – Groundwater monitoring was conducted in accordance with semi-annual reporting requirements. It was reported that the analytical results for the June monitoring were consistent with the results from previous monitoring events except for benzene, which was detected at 1.7 micrograms per liter (µg/L) and 2.7 µg/L in observation wells OW-1 and OW-3, respectively.
 - July 2013 Monitoring - In accordance with the approved groundwater monitoring plan, a confirmation sample was collected from observation wells OW-1 and OW-3 on July 1, 2013 and sampled for BTEX compounds. The results of the July 2013 sampling indicated benzene at a concentration of 1.5 µg/L in OW-1. BTEX compounds were not detected in OW-3.
 - September 2013 Monitoring – KP Kauffman representatives met with CDPHE to discuss the benzene observed in OW-1. At that meeting, it was determined that this contaminant of concern may be the result of a release reported in 2008, upgradient of the KPK Facility.
 - October 2013 Monitoring – A groundwater sample was collected from OW-1 on October 10th and analyzed for BTEX compounds. Benzene was reported at a concentration of 1.5 µg/L in OW-1.
 - December 2013 Monitoring Results - Groundwater monitoring was conducted in accordance with semi-annual reporting requirements. December monitoring results were consistent with the results from previous monitoring events except for benzene, which was detected at 3.6 µg/L in OW-1.

Ms. Susana Lara-Mesa
Page 4

Conclusions and Recommendations

Enertia identified no obvious evidence of significant spills, releases, or other on-site surface activities that may result in impacts to shallow groundwater quality. The semi-annual groundwater monitoring program provides continued surveillance for shallow groundwater impacts. The next groundwater monitoring is scheduled for June 2014.

We trust that this Environmental Audit is acceptable and complete. Please contact me at (720) 473-3131 or sean.ohearn@enertiagroup.com should you have any questions on the content of the audit.

Sincerely,
ENERTIA CONSULTING GROUP, LLC

A handwritten signature in blue ink, appearing to read "J Sean O'Hearn".

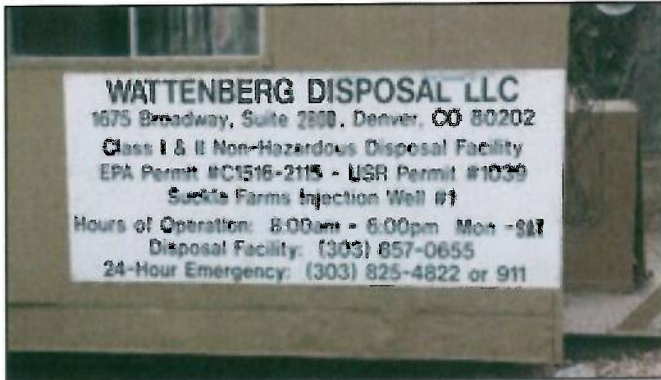
J. Sean O'Hearn, PE, PG
Managing Partner

attachments

Attachment 1
Site Photographs

Attachment 1

Facility Photographs - Suckla Farms Injection Well No. 1



Facility Information
Suckla Farms Injection Well No.1



Injection Well No.1



Tank Truck Unloading Area



Injection No.1



Holding Tanks



Attachment 2
CDPHE Correspondence

STATE OF COLORADO

John W. Hickenlooper, Governor
Karin McGowan
Interim Executive Director

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4300 Cherry Creek Dr. S. Laboratory Services Division
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Located in Glendale, Colorado (303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

Certified Mail 7012 1640 0000 0801 6136

Return Receipt Requested

January 21, 2014

Ms. Susana Lara-Mesa
K.P. Kauffman Company, Inc.
World Trade Center
1675 Broadway, Suite 2800
Denver, Colorado 80202-4825

Re: **Response and Request for Upgradient Monitoring Well Replacement Schedule**
December 2013 Groundwater Monitoring Event and OW-1 Well ASD
Wattenberg Disposal Facility
SW/WLD/WTB 4.3

Ms. Lara-Mesa,

The Colorado Department of Public Health and the Environment (the "Department") Hazardous Materials and Waste Management Division (the "Division") has received the following report addressing groundwater monitoring for the Wattenberg Disposal Facility (the "Facility") in Weld County, Colorado submitted in accordance with 6 CCR 1007-2, Part 1, the Regulations Pertaining to Solid Waste Sites and Facilities (the "Regulations").

December 2013, Groundwater Monitoring, Wattenberg Disposal Facility, Weld County, Colorado. Prepared by:
K.P. Kauffman Company, Inc. Document dated: January 15, 2014. Document received: January 16, 2014.

The Division thanks the Facility for a well-written and complete groundwater monitoring report. This report will be filed in the electronic public file.

Based on review of the report, and the Division's September 30, 2013 approval of an alternative source demonstration (ASD) addressing benzene concentrations in the upgradient monitoring well OW-1, the Division has the following requests:

K.P. Kauffman has submitted a request for an ASD to address statistically significant increases of benzene concentrations in an upgradient monitoring well designated OW-1 in accordance with Appendix B, Section B4(C)(3) of the Regulations. This ASD was approved by the Division on September 30, 2013 letter. Based on the finding that the upgradient monitoring well is impacted by an off-site source of hydrocarbon contaminants the Division requested on September 30, 2013 that the Facility provide either plans to install an upgradient monitoring well or provide an appropriate demonstration on how natural groundwater conditions will be monitored in accordance with the Regulations within 60 days. The Division has not received a reply to this required monitoring well replacement. **The Facility shall prepare either a well replacement plan and schedule, or provide an appropriate alternative that demonstrates how natural background conditions will be monitored in accordance with state and federal regulation, no later than February 27, 2014.**

Note that in accordance with the Regulations, and federal regulation 40 CFR 258, which state that at least one "upgradient" well must be established, maintained, and sampled. Reference 40 CFR § 258.51(a), § 258.53(a), § 258.53(c), and

Ms. Susana Lara-Mesa
K.P. Kauffman Company, Inc.
January 21, 2014
Page 2 of 2

§ 258.54(b). This can be a cross gradient well if an upgradient well cannot be established that best represents natural groundwater quality.

In addition to the requirement to replace the impacted upgradient groundwater monitoring well OW-1, and as stated in the submitted report dated January 15, 2014, the Facility agreed to analyze laboratory data using Stiff diagrams in a meeting with the Division on September 23, 2013. The Facility has prepared a series of Stiff diagrams over time for a single monitoring well, upgradient monitoring well OW-1. Stiff diagrams are useful for characterization of groundwater systems to compare groundwater against natural conditions and/or between specific well locations. The Division therefore requests the Facility continue to prepare Stiff diagrams for comparison between the existing wells on-site. However, assure Stiff diagrams are completed for comparison of groundwater monitored at each existing monitoring well (currently these are OW-1, OW-2, OW-3, and OW-4) and the pending replacement background well. The purpose is to track the groundwater chemistry as the identified benzene plume crosses the Facility to assure the Facility is not inappropriately identified with the off-site plume currently identified as entering the site CD boundary. Use of time series Stiff diagrams at a single point will not accomplish this purpose.

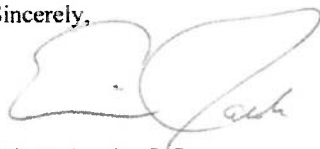
The Division is available to discuss these items further.

Note that the Department is authorized to bill for its review of technical submittals pursuant to Section 1.7 of the Regulations Pertaining to Solid Waste Sites and Facilities (6 CCR 1007-2). An invoice for the Division's review of the above referenced documents will be transmitted under separate cover. Our fees and billing ceilings may be viewed online at <http://www.cdphe.state.co.us/regulations/solidwaste/100702part1SWRregs.pdf>.

The Division is currently converting all files to an electronic format. This effort is designed to make public information, such as facility reports, available through the internet. Based on this effort the Solid Waste Unit is asking that deliverables are submitted electronically. Information regarding this electronic submittal policy change is included on the notification enclosed.

The Division is committed to ensuring protection of public health and the environment through compliance with applicable state and federal regulation. Should you have any questions regarding determination made herein contact Eric Jacobs at 303-692-3430 or by email at eric.jacobs@state.co.us.

Sincerely,



Eric K. Jacobs, P.G.
Solid Waste Permitting Unit
Solid Waste and Material Management Program
Hazardous Materials and Waste Management Division

cc: Michael D. Hattel, P.G., Apex Consulting Services, Inc (Louisville, CO)
Lauren Light, Weld County Department of Public Health and Environment
James Taloumis, Weld County Department of Public Health and Environment
Valois Shea, EPA Region 8
Bob Chesson, Colorado Oil and Gas Conservation Commission

ec: Doug Ikenberry, Solid Waste Unit
Jerry Henderson, Solid Waste Unit

CDPHE
HMWMD
SWMMD

SUBJECT: Groundwater Monitoring Well Comparison

Job Number: WTB

Prepared by: EKJ

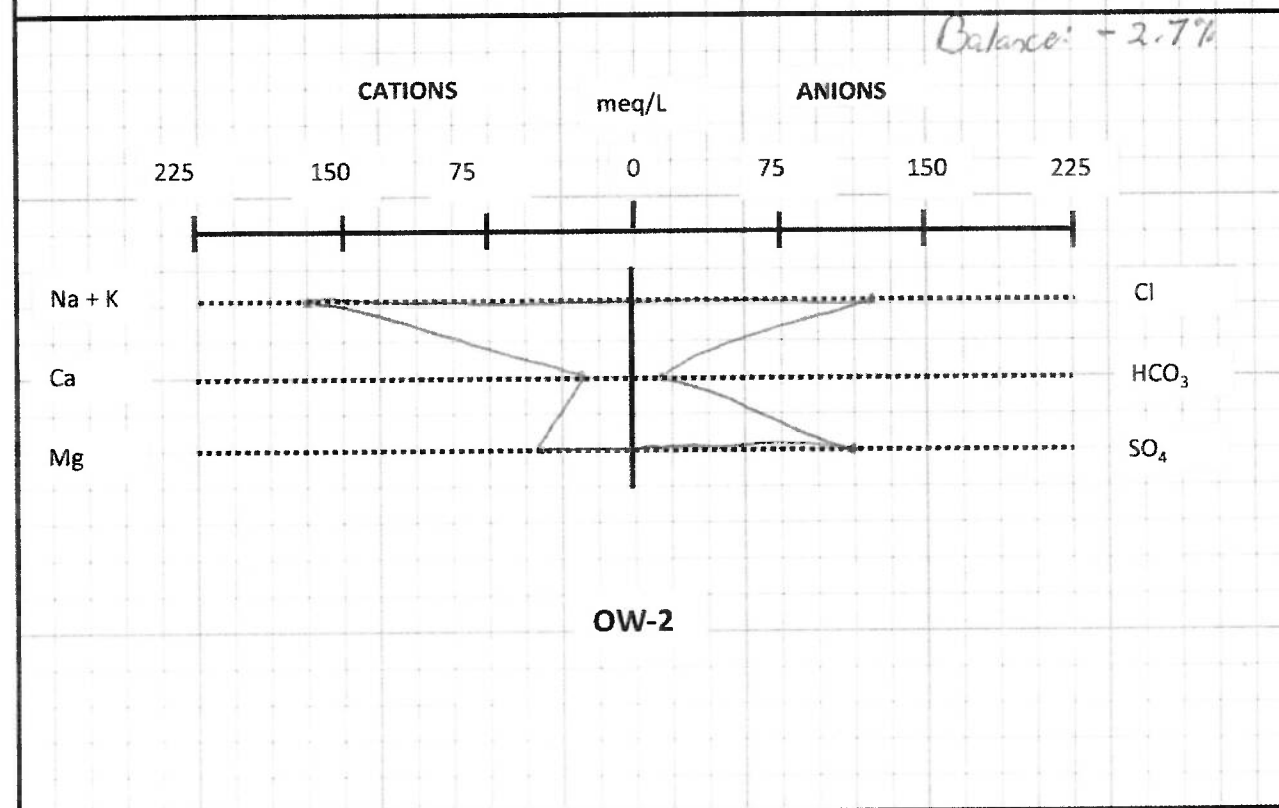
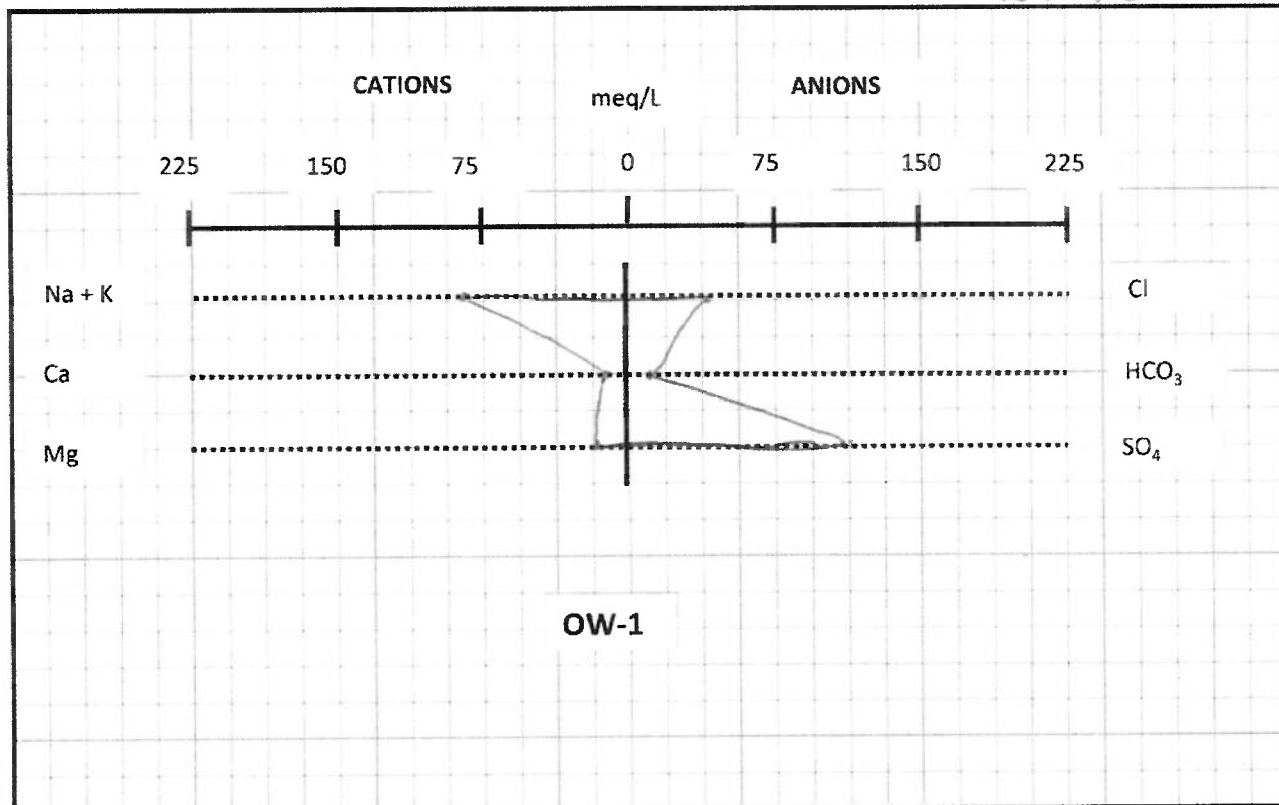
Date: 12/12/13

County: Weld

Reviewed by:

Sheet 1 of 2

Balance: -2.2%



CDPHE
HMWMD
SWMMD

SUBJECT: Groundwater Monitoring Well Comparison

Job Number: WTB

Prepared by: EKJ

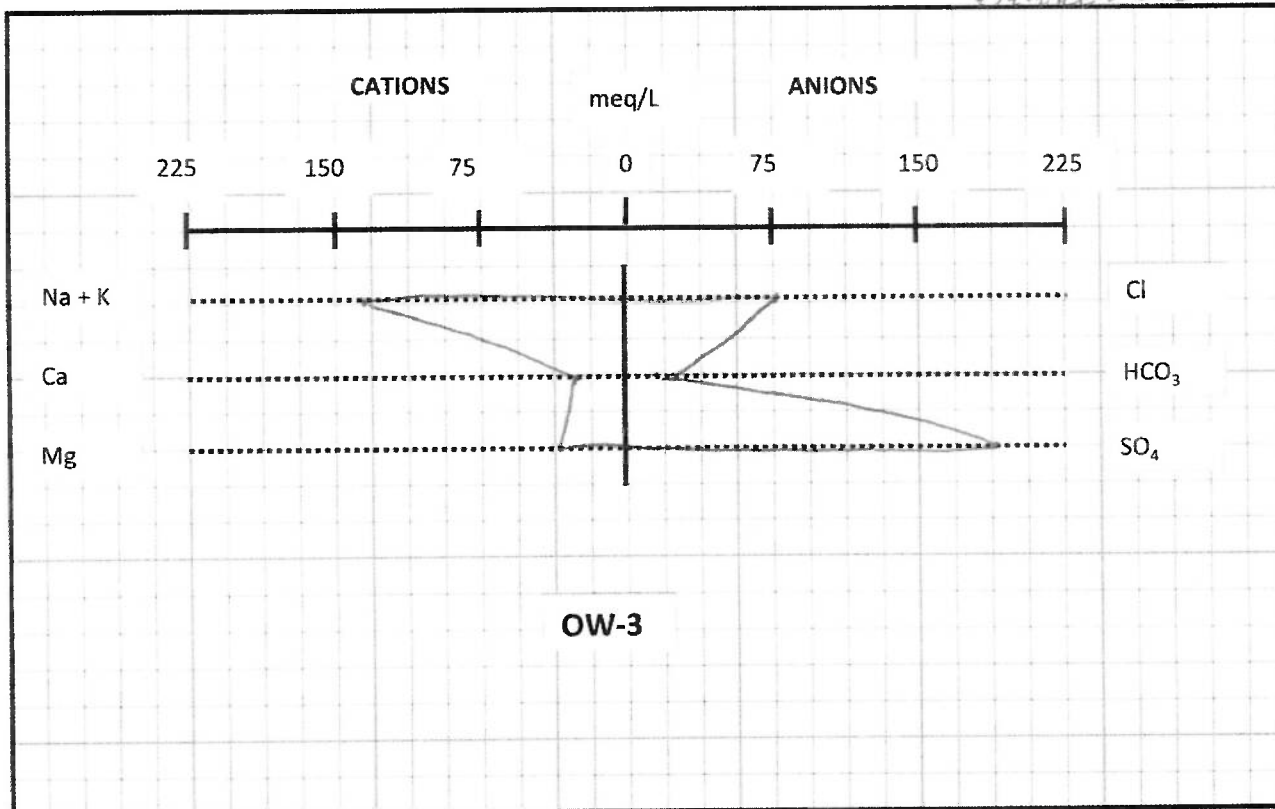
Date: 12/12/13

County: Weld

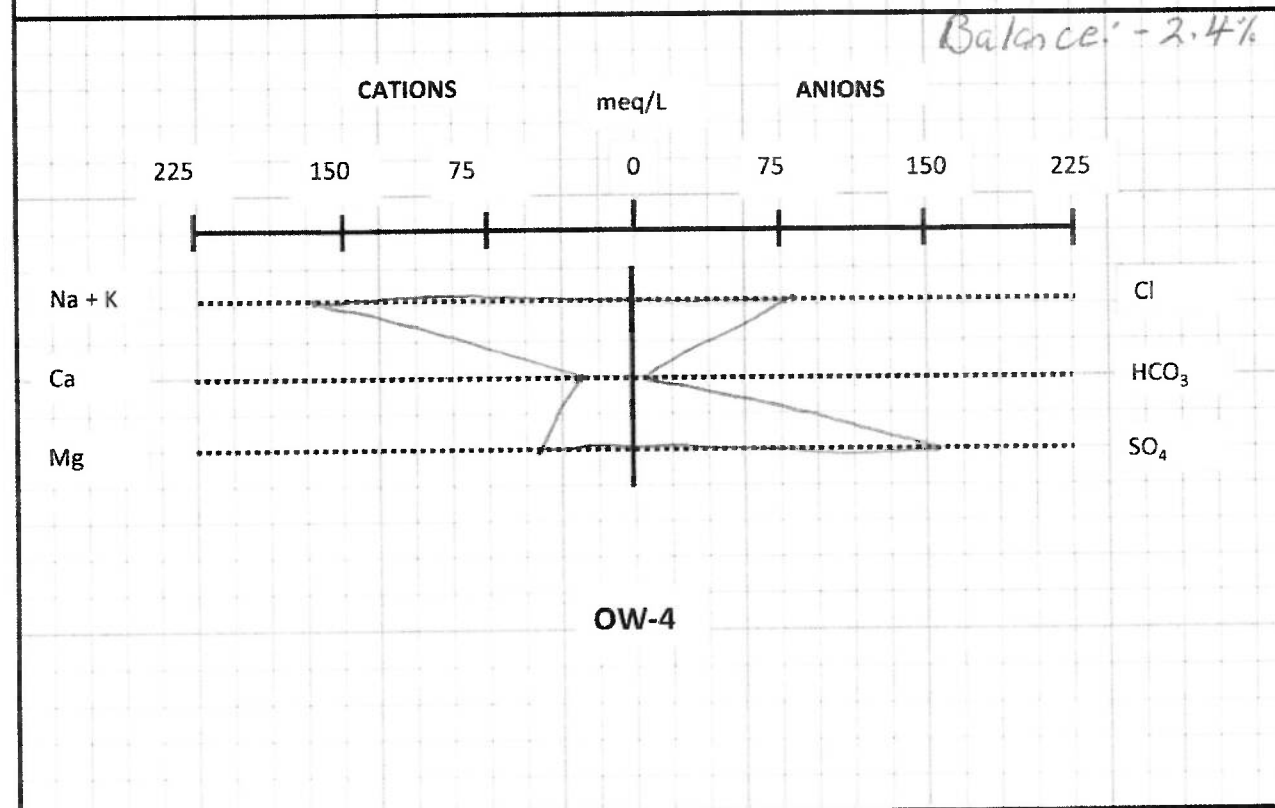
Reviewed by:

Sheet 2 of 2

Balance: 0.6%



Balance: -2.4%



STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer

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Phone (303) 692-2000
Located in Glendale, Colorado

Laboratory Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

April 29, 2013

Update to the Notice of Document Submittal Policy Changes for Solid Waste Stakeholders

The Colorado Department of Public Health and Environment (the "Department") Hazardous Materials and Waste Management Division (the "Division") is pleased to announce this update to make documents available for viewing in an electronic format. This update address changes to the July 23, 2012 notification based on recent changes to Divisional internal systems.

What are the changes between this update and the July 23, 2012 notification? There are two main changes to the electronic submittal policy, these include:

- 1) The Division request that PDFs be submitted in a PDF-A format to provide a greater degree of protection to the integrity of the electronic documents. The PDF-A format cannot be altered by document users.
- 2) Based on the recent updates to the Division's internal systems staff can now receive up to 25 Megabytes in their regular e-mail. The G-mail account previously utilized will no longer be monitored.

What does this mean for solid waste industry stakeholders and facilities? We are asking that all correspondence and documents continue to be submitted electronically (with some restrictions to larger and oversized files) with the changes to the submissions as provided herein. The Division's goal is to make documents and correspondence available for on-line viewing once we finish with scanning existing records to a digital format and the interface software is functional.

The Division requests that all submittals be submitted to your solid waste permitter and inspector following one of the following processes based on file size and content:

- 1) Any document that is less than 10 pages in length and does not contain oversized figures, drawings, or engineering plates can be submitted electronically.

- 2) Larger documents greater than 10 pages in length should be submitted with one paper (hardcopy for review) version and one electronic submittal.
- 3) All oversized figures, drawings, or engineering plates should be submitted electronically along with one paper copy (oversized files are defined as any item larger than standard 11" x 17" paper sizes).

Electronic copies submitted can be delivered:

- 1) E-mail (up to 25 Megabytes);
or,
- 2) on a CD or USB drive (any size document).

All text submitted electronically should be formatted as Adobe *.PDF-A searchable files. Any non-PDF-A word document will be electronically filed in the format submitted. The Department does not recommend word format submittals.

Figures, drawings, or engineering plates must be submitted in Adobe *.PDF-A format or a format commonly accepted by the general public such as *.JPG. Do not submit CADD, Surfer, or other technically-oriented file formats.

In an effort to assist in the conversion to electronic files if you have electronic copies of any documents that have been previously submitted only in hardcopy form, please provide us with the electronic copy.

Should you have any questions please contact the solid waste permitter or inspector representative for your site.

STATE OF COLORADO

John W. Hickenlooper, Governor
Karin McGowan
Interim Executive Director

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Colorado Department
of Public Health
and Environment

Certified Mail 7012 1640 0000 0801 6198
Return Receipt Requested

February 6, 2014

Ms. Susana Lara-Mesa
K.P. Kauffman Company, Inc.
World Trade Center
1675 Broadway, Suite 2800
Denver, Colorado 80202-4825

Re: **Retraction - September 30, 2013 Letter:** Further Action Required for the OW-1 Alternative Source Demonstration
Based on Information Conveyed by the Colorado Oil and Gas Conservation Commission
Wattenberg Disposal Facility
SW/WLD/WTB 4.3

Ms. Lara-Mesa,

The Colorado Department of Public Health and the Environment (the "Department") Hazardous Materials and Waste Management Division (the "Division") contacted Mr. Bob Chesson of the Colorado Oil and Gas Conservation Commission (COGCC) on January 28, 2014 and discussed the materials submitted by the Wattenberg Disposal Facility in Weld County, Colorado (the "Facility") in a document dated September 26, 2013 addressing an alternative source demonstration for benzene concentrations in an upgradient monitoring well designated OW-1. This information included:

- 1) State of Colorado Oil and Gas Conservation Commission Spill / Release Report (form 19), spill release tracking no. 1981158.
- 2) State of Colorado Oil and Gas Conservation Commission Site Investigation and Remedial Work Plan (form 27), spill release tracking no. 1981158.
- 3) COGIS - Remediation Report (form 27/27A) document number 1984949 submitted 10/03/2008, received 10/06/2008, assigned by Bob Chesson.
- 4) Facility aerial photo (google earth) October 7, 2012.
- 5) Facility aerial photo (U.S.G.S.) March 30, 2008.

Based on the information submitted at that time the Division found the request reasonable and made a determination in a letter dated September 30, 2013 that the monitoring of this well may resume detection monitoring in accordance with the *Regulations Pertaining to Solid Waste Sites and Facilities*, 6 CCR 1007-2, Part 1 (the "Regulations").

Note that the COGCC believes the release of hydrocarbons referenced in the documents submitted by the Facility was limited to soil impacts only. Furthermore, it was verbally communicated that the closure of the release to the soils was based on excavation of impacted soils to a depth horizon the COGCC indicated was confirmed to be un-impacted by the release of the hydrocarbons in accordance with applicable regulation overseen by the COGCC.

Based on this new information provided to the Division by the COGCC, the Division hereby retracts the alternative source demonstration approval per the Division's September 30, 2013 letter. As a result, the Facility is required to enter assessment

Ms. Susana Lara-Mesa
K.P. Kauffman Company, Inc.
February 6, 2014
Page 2 of 2

monitoring of monitoring well OW-1 in accordance with Appendix B, Section B5 of the regulations. Alternatively, the Facility has 90 days of the date of this letter to re-demonstrate an alternative source demonstration in accordance with Appendix B, Section B4(C)(3).

In addition, based on the finding that the upgradient monitoring well is impacted by an off-site source of hydrocarbon contaminants the Division has determined that the Facility must provide either plans to install a new upgradient monitoring well that is not impacted or an appropriate demonstration on how natural groundwater conditions will be monitored in accordance with the Regulations. Note that the Regulations, and federal regulation 40 CFR 258, state that at least one "upgradient" well must be established, maintained, and sampled. Reference 40 CFR § 258.51(a), § 258.53(a), § 258.53(e), and § 258.54(b). This can be a cross gradient well if an upgradient well cannot be established that best represents natural groundwater quality.

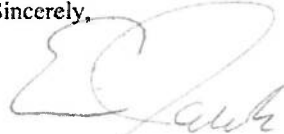
Please provide no later than April 29, 2014 the following:

- 1) An updated alternative source demonstration with supporting information addressing a source other than the Facility or a sampling plan for assessment monitoring of monitoring well OW-1 in accordance with Section B5 of the Regulations.**
- 2) A monitoring well replacement plan that addresses a well to monitor natural background conditions at the site or alternative plan to meet the requirements to monitor natural background.**

The Division is currently converting all files to an electronic format. This effort is designed to make public information, such as facility reports, available through the internet. Based on this effort the Solid Waste Unit is asking that deliverables are submitted electronically. Information regarding this electronic submittal policy change is included on the notification enclosed.

The Division is committed to ensuring protection of public health and the environment through compliance with applicable state and federal regulation. Should you have any questions regarding determination made herein contact Eric Jacobs at 303-692-3430 or by email at eric.jacobs@state.co.us.

Sincerely,



Eric K. Jacobs, P.G.
Solid Waste Permitting Unit
Solid Waste and Material Management Program
Hazardous Materials and Waste Management Division



Roger Doak, Unit Leader
Solid Waste Permitting Unit
Solid Waste and Material Management Program
Hazardous Materials and Waste Management Division

cc: Michael D. Hattel, P.G., Apex Consulting Services, Inc (Louisville, CO)
Heather Barbare, Weld County Department of Public Health and Environment
Valois Shea, EPA Region 8
Bob Chesson, Colorado Oil and Gas Conservation Commission

cc: Doug Ikenberry, Solid Waste Unit
Jerry Henderson, Solid Waste Unit

STATE OF COLORADO

John W. Hickenlooper, Governor
Larry Wolk, MD, MSPH
Executive Director and Chief Medical Officer

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Colorado Department
of Public Health
and Environment

April 11, 2014

Ms. Susana Lara-Mesa
K.P. Kauffman Company, Inc.
World Trade Center
1675 Broadway, Suite 2800
Denver, Colorado 80202-4825

Re: **Receipt and Determination:** Site Investigation Activity Conducted
Wattenberg Disposal Facility
SW/WLD/WTB 4.3

Ms. Lara-Mesa,

The Colorado Department of Public Health and the Environment (the "Department") Hazardous Materials and Waste Management Division (the "Division") has received a report summarizing briefly activity conducted at the Wattenberg Disposal Facility (the "Facility") in Weld County, Colorado designed to investigate potential sources for benzene identified in monitoring well OW-1.

Phase II Environmental Site Assessment, Wattenberg Disposal Facility, Fort Lupton, Colorado.
Prepared by: K.P. Apex Consulting Services, Inc. Document dated: March 21, 2014. Document received: March 24, 2014.

This study was performed by the Facility based on the retraction of an alternative source demonstration (ASD) by the Division on February 6, 2014 previously approved on September 30, 2013 in accordance with the *Regulations Pertaining to Solid Waste Sites and Facilities*, 6 CCR 1007-2, Part 1 (the "Regulations"). The retraction letter was based on information provided by the Colorado Oil and Gas Conversation Commission (COGCC) stating records indicated the site the original ASD was approved for was limited only to soil impacts only.

This site is referenced in the submitted report, and previous information submitted by the Facility, as:

- 1) Drilling location W-1, source: Phase II Environmental Site Assessment, Wattenberg Disposal Facility report
- 2) Document Number 1984949, source COGCC Form 27/27A
- 3) Spill Release Tracking No. 1981158: source, COGCC Form 19
- 4) Tracking No 1981158: COGCC Form 27 with attachments

Based on information submitted the Facility identified the following contaminants were identified at the location referenced as W-1 in the report titled *Phase II Environmental Site Assessment, Wattenberg Disposal Facility*.

Information Copied from the Facility Report Titled <i>Phase II Environmental Site Assessment, Wattenberg Disposal Facility</i>							
Sample ID	Depth (ft)	Benzene	Toluene	Ethylbenzene	Total Xylene	TPH (GRO)	TPH (DRO)
KPK-W-1-10 (soil)	12	Non-Detect	Non-Detect	Non-Detect	Non-Detect	Non-Detect	49.8 mg/kg
KPK-W-1-W (groundwater)	18	17.5 mg/L	Non-Detect	15.6 mg/L	39.0 mg/L	Not Sampled	Not Sampled

The report submitted concludes that:

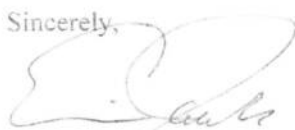
"Based on the analytical results, additional investigative work is warranted to determine the extent of groundwater contamination."

The Division agrees with the conclusion that the work conducted requires additional investigation. **Please complete a plan and submit to the Division for review no later than June 11, 2014.** Include in the plan the replacement natural background well location in accordance with the Regulations and federal regulation 40 CFR § 258.51(a), § 258.53(a), § 258.53(e), and § 258.54(b). This can be a cross gradient well if an upgradient well cannot be established that best represents natural groundwater quality. Note that OW-1 should remain in the currently approved sampling program.

The Division is currently converting all files to an electronic format as outlined in the attached April 29, 2013 updated e-submittal policy. This effort is designed to make public information, such as facility reports, available through the internet. Based on this effort the Solid Waste Unit is asking that deliverables are submitted pursuant to the electronic format policy.

The Division is committed to ensuring protection of public health and the environment through compliance with applicable state and federal regulation. Should you have any questions regarding determination made herein contact Eric Jacobs at 303-692-3430 or by email at eric.jacobs@state.co.us.

Sincerely,



Eric K. Jacobs, P.G.
Solid Waste Permitting Unit
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division



Roger Doak, Unit Leader
Solid Waste Permitting Unit
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division

cc: Michael D. Hattel, P.G., Apex Consulting Services, Inc (Louisville, CO)
Heather Barbare, Weld County Department of Public Health and Environment
Valois Shea, EPA Region 8
Bob Chesson, Colorado Oil and Gas Conservation Commission

ec: Doug Ikenberry, Solid Waste Unit
Jerry Henderson, Solid Waste Unit